

HOUSE BILL No. 1510

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-32.2.

Synopsis: Charity gaming. Makes numerous changes to the laws concerning charity gaming licenses and the participants in charity gaming. Authorizes the gaming commission to issue an annual license permitting a qualified organization to sell pull tabs, punchboards, and tip boards at any time on the premises owned or leased by the qualified organization and regularly used for the activities of the qualified organization. Authorizes an annual charity game night license. Specifies that state educational institutions are qualified organizations. Specifies the conditions for conducting raffles and door prize drawings applicable to a candidate's committee. Makes certain changes concerning manufacturers and distributors of charity gaming supplies. Makes certain changes concerning the gaming commission's administration of charity gaming.

Effective: July 1, 2007.

VanHaaften, Whetstone

January 23, 2007, read first time and referred to Committee on Public Policy.

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First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

HOUSE BILL No. 1510

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 4-32.2-1-1, AS ADDED BY P.L.91-2006,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2007]: Sec. 1. (a) This article applies only to a qualified
4 organization.

5 (b) This article applies only to **the following approved gambling**
6 **events conducted as fundraising activities by qualified**
7 **organizations:**

8 (1) Bingo events, charity game nights, door prize events, raffle
9 events, festivals, and other gaming events approved by the
10 commission. ~~and~~

11 (2) The sale of pull tabs, punchboards, and tip boards:

12 (A) at bingo events, charity game nights, door prize events,
13 raffle events, and festivals conducted by qualified
14 organizations; or

15 (B) at any time on the premises owned or leased by a qualified
16 organization and regularly used for the activities of the
17 qualified organization



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This article does not apply to any other sale of pull tabs, punchboards, and tip boards.

(c) This article does not apply to a promotion offer subject to IC 24-8.

SECTION 2. IC 4-32.2-1-3, AS ADDED BY P.L.91-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 3. A bingo event, charity game night, door prize drawing, ~~or~~ raffle, **festival event, or other charity gambling event licensed under IC 4-32.2-4-16** is not allowed in Indiana unless it is conducted by a qualified organization in accordance with this article.

SECTION 3. IC 4-32.2-2-15, AS ADDED BY P.L.91-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 15. "Door prize" means a prize awarded to a person based solely upon the person's **paid** attendance at ~~an~~ **a charity fundraising** event or the purchase of a ticket to attend ~~an~~ **a charity fundraising** event.

SECTION 4. IC 4-32.2-2-20.5, AS ADDED BY P.L.91-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 20.5. "Member" means any of the following:

(1) An individual entitled to membership in a qualified organization under the bylaws, articles of incorporation, charter, or rules of the qualified organization.

(2) A member of the qualified organization's auxiliary.

(3) In the case of a qualified organization that is a **public or** nonpublic school (as defined in IC 20-18-2-12), ~~either~~ **any** of the following:

(A) A parent of a child enrolled in the school.

(B) A member of the school's parent organization.

(C) A member of the school's alumni association.

(D) An employee of the school.

(E) An officer of the school.

(F) A student enrolled in the school.

(4) A member of a qualified organization's board of directors or board of trustees.

SECTION 5. IC 4-32.2-2-21.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 21.5. "PPT license" refers to a license issued to a qualified organization under IC 4-32.2-4-16.5.**

SECTION 6. IC 4-32.2-2-24, AS ADDED BY P.L.91-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 24. (a) "Qualified organization" means:

(1) a bona fide religious, educational, senior citizens, veterans, or

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civic organization operating in Indiana that:

(A) operates without profit to the organization's members;

(B) is exempt from taxation under Section 501 of the Internal Revenue Code; and

(C) has been continuously in existence in Indiana for at least five (5) years or is affiliated with a parent organization that has been in existence in Indiana for at least five (5) years; ~~or~~

(2) a bona fide political organization operating in Indiana that produces exempt function income (as defined in Section 527 of the Internal Revenue Code); **or**

(3) a state educational institution (as defined in IC 20-12-0.5-1).

(b) For purposes of IC 4-32.2-4-3, a "qualified organization" includes the following:

(1) A hospital licensed under IC 16-21.

(2) A health facility licensed under IC 16-28.

(3) A psychiatric facility licensed under IC 12-25.

(4) An organization defined in subsection (a).

(c) For purposes of IC 4-32.2-4-10, a "qualified organization" includes a bona fide business organization.

SECTION 7. IC 4-32.2-2-30, AS ADDED BY P.L.91-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 30. "Worker" means an individual who helps or participates in any manner in ~~preparing for~~, conducting **or** assisting in conducting ~~cleaning up after~~, ~~or taking any other action in connection with~~ an allowable event under this article.

SECTION 8. IC 4-32.2-3-4, AS ADDED BY P.L.91-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. (a) The commission has the sole authority to license entities under this article to sell, distribute, or manufacture ~~the~~ following:

~~(1) Bingo cards.~~

~~(2) Bingo boards.~~

~~(3) Bingo sheets.~~

~~(4) Bingo pads.~~

~~(5) Pull tabs.~~

~~(6) Punchboards.~~

~~(7) Tip boards.~~

~~(8) Any other supplies, devices, or equipment designed to be used in allowable events designated by rule of the commission.~~

a licensed supply.

(b) Qualified organizations must obtain ~~the materials described in~~

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~~subsection (a) licensed supplies~~ only from an entity licensed by the commission.

(c) The commission may not limit the number of qualified entities licensed under subsection (a).

(d) The commission may deny a license to an applicant for a license to sell, manufacture, or distribute licensed supplies if the commission determines that at least one (1) of the following applies with respect to the applicant:

(1) The applicant has:

(A) violated a local ordinance, a state or federal statute, or an administrative rule or regulation; or

(B) committed any other act harmful to the best interests of charity gaming.

(2) The applicant has engaged in fraud, deceit, or misrepresentation.

(3) The applicant has failed to provide information required by this article or a rule adopted under this article.

SECTION 9. IC 4-32.2-3-5, AS ADDED BY P.L.91-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. The commission shall charge appropriate fees to the following:

(1) An applicant for a license to conduct an allowable event.

(2) An applicant seeking a license to distribute ~~bingo supplies, pull tabs, punchboards, or tip boards.~~ **a licensed supply.**

(3) An applicant seeking a license to manufacture ~~bingo supplies, pull tabs, punchboards, or tip boards.~~ **a licensed supply.**

SECTION 10. IC 4-32.2-4-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 2.5. The commission may deny a license to an organization if the commission determines that at least one (1) of the following applies with respect to the organization:**

(1) The organization has:

(A) violated a local ordinance, a state or federal statute, or an administrative rule or regulation; or

(B) committed any other act harmful to the best interests of charity gaming.

(2) The organization has engaged in fraud, deceit, or misrepresentation.

(3) The organization has failed to provide information required by this article or a rule adopted under this article.

(4) The organization has failed to provide sufficient

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information to enable the commission to determine that the organization is a qualified organization.

SECTION 11. IC 4-32.2-4-3, AS ADDED BY P.L.91-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 3. (a) A qualified organization is not required to obtain a license from the commission if the value of all prizes awarded at the bingo event, charity game night, raffle event, ~~or~~ door prize event, **festival event, or other event licensed under section 16 of this chapter**, including prizes from pull tabs, punchboards, and tip boards, does not exceed one thousand dollars (\$1,000) for a single event and not more than three thousand dollars (\$3,000) during a calendar year.

(b) A qualified organization ~~described in subsection (a)~~ that plans to hold ~~a bingo~~ **an allowable** event **described in subsection (a)** more than one (1) time a year shall send an annual written notice to the commission informing the commission of the following:

(1) The estimated frequency of the planned ~~bingo~~ **allowable** events.

(2) The location or locations where the qualified organization plans to hold the ~~bingo~~ **allowable** events.

(3) The estimated ~~amount of revenue expected to be generated by~~ **value of all prizes awarded at each bingo allowable event.**

(c) The notice required under subsection (b) must be filed before the earlier of the following:

(1) March 1 of each year.

(2) One (1) week before the qualified organization holds the first ~~bingo~~ **allowable** event of the year.

(d) A qualified organization **that conducts an allowable event** described in subsection (a) shall maintain accurate records of all financial transactions of ~~an the event. conducted under this section.~~ The commission may inspect records kept in compliance with this section.

SECTION 12. IC 4-32.2-4-5, AS ADDED BY P.L.91-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. (a) The commission may issue a bingo license to a qualified organization if:

(1) the provisions of this section are satisfied; and

(2) the qualified organization:

(A) submits an application; and

(B) pays a fee set by the commission under IC 4-32.2-6.

(b) The commission may hold a public hearing to obtain input on the proposed issuance of an annual bingo license to an applicant that has never held an annual bingo license under this article.

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(c) The first time that a qualified organization applies for an annual bingo license, the ~~commission~~ **qualified organization** shall publish notice that the application has been filed **by publication at least two (2) times, seven (7) days apart, as follows:**

(1) **In newspapers in the county where the qualified organization is located, as provided in IC 5-3-1-6.**

(2) **In one (1) daily newspaper in the county where the allowable event will be conducted.**

(d) ~~The notification must be in accordance with IC 5-14-1.5-5 and required by subsection (c)~~ must contain the following:

(1) The name of the qualified organization and the fact that it has applied for an annual bingo license.

(2) The location where the bingo events will be held.

(3) The names of the operator and officers of the qualified organization.

(4) A statement that any person can protest the proposed issuance of the annual bingo license.

(5) A statement that the commission shall hold a public hearing if ten (10) written and signed protest letters are received by the commission.

(6) The address of the commission where correspondence concerning the application may be sent.

~~(d)~~ (e) If the commission receives at least ten (10) protest letters, the commission shall hold a public hearing in accordance with IC 5-14-1.5. The commission shall issue a license or deny the application not later than sixty (60) days after the date of the public hearing.

~~(e)~~ (f) A license issued under this section:

(1) may authorize the qualified organization to conduct bingo events on more than one (1) occasion during a period of one (1) year;

(2) must state the locations of the permitted bingo events;

(3) must state the expiration date of the license; and

(4) may be reissued annually upon the submission of an application for reissuance on the form established by the commission and upon the licensee's payment of a fee set by the commission.

~~(f)~~ (g) Notwithstanding subsection ~~(e)(4)~~, (f)(4), the commission shall hold a public hearing for the reissuance of an annual bingo license if **the following conditions are met:**

(1) An applicant has been cited for a violation of law or a rule of the commission. ~~or~~

~~(2) The commission finds, based upon investigation of at least~~

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three (3) written and signed complaints alleging a violation of law or a rule of the commission in connection with the bingo license; that one (1) or more of the alleged violations:

(A) has occurred;

(B) is a type of violation that would allow the commission to cite the applicant for a violation of a provision of this article or of a rule of the commission; and

(C) has not been corrected after notice has been given by the commission.

(2) The commission receives at least ten (10) protest letters concerning the qualified organization's bingo operation.

~~(g)~~ **(h)** If the commission is required to hold a public hearing on an application for a reissuance of an annual bingo license, it shall comply with the same procedures required under this section for notice and for conducting the hearing.

~~(h)~~ The commission may deny a license if, after a public hearing, the commission determines that the applicant:

(1) has violated a local ordinance; or

(2) has engaged in fraud, deceit, or misrepresentation.

SECTION 13. IC 4-32.2-4-7.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 7.5. (a) The commission may issue an annual charity game night license to a qualified organization if:**

(1) the provisions of this section are satisfied; and

(2) the qualified organization:

(A) submits an application; and

(B) pays a fee set by the commission under IC 4-32.2-6.

(b) The application for an annual charity game night license must contain the following:

(1) The name of the qualified organization.

(2) The location where the charity game night events will be held.

(3) The names of the operator and officers of the qualified organization.

(c) A license issued under this section:

(1) may authorize the qualified organization to conduct charity game night events on more than one (1) occasion during a period of one (1) year;

(2) must state the locations of the permitted charity game night events;

(3) must state the expiration date of the license; and

(4) may be reissued annually upon the submission of an

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application for reissuance on the form established by the commission and upon the licensee's payment of a fee set by the commission.

SECTION 14. IC 4-32.2-4-8, AS ADDED BY P.L.91-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 8. ~~(a)~~ The commission may issue a raffle license to a qualified organization upon the organization's submission of an application and payment of a fee determined under IC 4-32.2-6. The license must:

- (1) authorize the qualified organization to conduct a raffle event at only one (1) time and location; and
- (2) state the date, beginning and ending times, and location of the raffle event.

~~(b) A qualified organization, by rule of the commission, may be excused from the requirement of obtaining a license to conduct a raffle event if the total market value of the prize or prizes to be awarded at the raffle event does not exceed one thousand dollars (\$1,000).~~

SECTION 15. IC 4-32.2-4-9, AS ADDED BY P.L.91-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 9. ~~(a)~~ **The commissioner commission** may issue an annual raffle license to a qualified organization ~~upon the organization's submission of an application and payment of a fee determined under IC 4-32.2-6.~~ The license must

- ~~(1) authorize the qualified organization to conduct not more than five (5) raffle events in the calendar year in which the license is issued; and~~
- ~~(2) state the date, beginning and ending times, and location of each raffle event conducted by the qualified organization in the calendar year.~~

if:

- (1) the provisions of this section are satisfied; and**
- (2) the qualified organization:**

(A) submits an application; and

(B) pays a fee set by the commission under IC 4-32.2-6.

(b) The application for an annual raffle prize license must contain the following:

- (1) The name of the qualified organization.**
- (2) The location where the raffle events will be held.**
- (3) The names of the operator and officers of the qualified organization.**

(c) A license issued under this section:

- (1) may authorize the qualified organization to conduct raffle**

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1 events on more than one (1) occasion during a period of one
 2 (1) year;
 3 (2) must state the locations of the permitted raffle events;
 4 (3) must state the expiration date of the license; and
 5 (4) may be reissued annually upon the submission of an
 6 application for reissuance on the form established by the
 7 commission and upon the licensee's payment of a fee set by
 8 the commission.

9 SECTION 16. IC 4-32.2-4-10, AS ADDED BY P.L.91-2006,
 10 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2007]: Sec. 10. ~~(a)~~ The commission may issue a door prize
 12 license to a qualified organization upon the organization's submission
 13 of an application and payment of a fee determined under IC 4-32.2-6.
 14 The license must:

- 15 (1) authorize the qualified organization to conduct a door prize
 16 event at only one (1) time and location; and
- 17 (2) state the date, beginning and ending times, and location of the
 18 door prize event.

19 ~~(b) A qualified organization, by rule of the commission, may be~~
 20 ~~excused from the requirement of obtaining a license to conduct a door~~
 21 ~~prize event if the total market value of the prize or prizes to be awarded~~
 22 ~~at the door prize event does not exceed one thousand dollars (\$1,000):~~

23 SECTION 17. IC 4-32.2-4-11, AS ADDED BY P.L.91-2006,
 24 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2007]: Sec. 11. (a) The commission may issue an annual door
 26 prize license to a qualified organization if:

- 27 (1) the provisions of this section are satisfied; and
- 28 (2) the qualified organization:
 - 29 (A) submits an application; and
 - 30 (B) pays a fee set by the commission under IC 4-32.2-6.

31 (b) The application for an annual door prize license must contain the
 32 following:

- 33 (1) The name of the qualified organization.
- 34 (2) The location where the door prize events will be held.
- 35 (3) The names of the operator and officers of the qualified
 36 organization.

37 (c) A license issued under this section:

- 38 (1) may authorize the qualified organization to conduct door prize
 39 events on more than one (1) occasion during a period of one (1)
 40 year;
- 41 (2) must state the locations of the permitted door prize events;
- 42 (3) must state the expiration date of the license; and

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(4) may be reissued annually upon the submission of an application for reissuance on the form established by the commission and upon the licensee's payment of a fee set by the commission.

(d) ~~The commission may reject an application for an annual door prize license if, after a public hearing, the commission determines that the applicant:~~

~~(1) has violated a local ordinance; or~~

~~(2) has engaged in fraud, deceit, or misrepresentation.~~

SECTION 18. IC 4-32.2-4-12, AS ADDED BY P.L.91-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 12. (a) The commission may issue a festival license to a qualified organization upon the organization's submission of an application and payment of a fee determined under IC 4-32.2-6. The license must authorize the qualified organization to conduct bingo events, charity game nights, ~~one (1) raffle event,~~ **events, gambling events licensed under section 16 of this chapter,** and door prize events and to sell pull tabs, punchboards, and tip boards. The license must state the location and the dates, not exceeding four (4) consecutive days, on which these activities may be conducted.

(b) A qualified organization may not conduct more than one (1) festival each year at which bingo events, charity game nights, raffle events, ~~and door prize events,~~ **or other gambling events licensed under section 16 of this chapter** are conducted and pull tabs, punchboards, and tip boards are sold.

(c) The raffle event authorized by a festival license is not subject to the prize limits set forth in this chapter. Bingo events, charity game nights, and door prize events conducted at a festival are subject to the prize limits set forth in this chapter.

SECTION 19. IC 4-32.2-4-13, AS ADDED BY P.L.91-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 13. (a) A bingo license or special bingo license may also authorize a qualified organization to conduct door prize drawings and sell pull tabs, punchboards, and tip boards at the bingo event.

(b) A charity game night license may also authorize a qualified organization to:

(1) conduct **raffle events** and door prize drawings; and

(2) sell pull tabs, punchboards, and tip boards;
at the charity game night.

(c) A raffle license **or an annual raffle license** may also authorize a qualified organization to conduct door prize drawings and sell pull

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1 tabs, punchboards, and tip boards at the raffle event.

2 (d) A door prize license **or an annual door prize license** may also
3 authorize a qualified organization to **conduct a raffle event and to sell**
4 pull tabs, punchboards, and tip boards at the door prize event.

5 SECTION 20. IC 4-32.2-4-16, AS ADDED BY P.L.91-2006,
6 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2007]: Sec. 16. (a) This section applies to a gambling event
8 that is described in neither:

9 (1) section 1(1) through 1(6) of this chapter; nor

10 (2) IC 4-32.2-2-12(b).

11 (b) The commission may issue a **single event license or an annual**
12 **event** license to conduct a gambling event approved by the commission
13 to a qualified organization upon the organization's submission of an
14 application and payment of a fee determined under IC 4-32.2-6. ~~The~~

15 (c) A **single event** license must:

16 (1) authorize the qualified organization to conduct the gambling
17 event at only one (1) time and location; and

18 (2) state the date, beginning and ending times, and location of the
19 gambling event.

20 (d) An **annual event** license:

21 (1) **must authorize the qualified organization to conduct the**
22 **events on more than one (1) occasion during a period of one**

23 **(1) year;**

24 **(2) must state the locations of the permitted events;**

25 **(3) must state the expiration date of the license; and**

26 **(4) may be reissued annually upon the submission of an**
27 **application for reissuance on the form established by the**
28 **commission and upon the licensee's payment of a fee set by**
29 **the commission.**

30 ~~(c)~~ (e) The commission may impose any condition upon a qualified
31 organization that is issued a license to conduct a gambling event under
32 this section.

33 SECTION 21. IC 4-32.2-4-16.5 IS ADDED TO THE INDIANA
34 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
35 [EFFECTIVE JULY 1, 2007]: Sec. 16.5. (a) **The commission may**
36 **issue an annual PPT license to a qualified organization upon the**
37 **organization's submission of an application and payment of a fee**
38 **determined under IC 4-32.2-6.**

39 (b) A license issued under this section authorizes a qualified
40 organization to sell pull tabs, punchboards, and tip boards at any
41 time on the premises owned or leased by the qualified organization
42 and regularly used for the activities of the qualified organization.

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1 (c) A license issued under this section is not required for the sale
2 of pull tabs, punchboards, and tip boards at another allowable
3 event as permitted under section 13 of this chapter.

4 SECTION 22. IC 4-32.2-4-18, AS ADDED BY P.L.91-2006,
5 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 JULY 1, 2007]: Sec. 18. (a) With respect to any action authorized by
7 this section, a candidate's committee (as defined in IC 3-5-2-7) is
8 considered a bona fide political organization.

9 (b) A candidate's committee may apply for a license under section
10 8 of this chapter to conduct a raffle event. A candidate's committee may
11 ~~not also conduct a door prize drawing but is prohibited from~~
12 ~~conducting~~ any other kind of allowable event.

13 (c) The following are subject to this ~~article~~ chapter and
14 IC 4-32.2-6:

15 (1) A candidate's committee that applies for a license under
16 section 8 of this chapter.

17 (2) A raffle event ~~or door prize drawing~~ conducted by a
18 candidate's committee.

19 (d) ~~The members of a candidate's committee may conduct an~~
20 ~~event under this section without meeting the requirements of this~~
21 ~~article concerning the membership of a qualified organization. A~~
22 ~~candidate's committee licensed under this section must remain in~~
23 ~~good standing with the election division or the county election~~
24 ~~board having jurisdiction over the committee.~~

25 SECTION 23. IC 4-32.2-5-6, AS ADDED BY P.L.91-2006,
26 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2007]: Sec. 6. (a) A qualified organization may not conduct
28 more than three (3) allowable events during a calendar week and not
29 more than one (1) allowable event each day.

30 (b) Except as provided in IC 4-32.2-4-12 ~~and IC 4-32.2-4-16.5,~~
31 allowable events may not be held on more than two (2) consecutive
32 days.

33 (c) A ~~bona fide civic~~ **qualified** organization may conduct one (1)
34 additional allowable event during each six (6) months of a calendar
35 year.

36 SECTION 24. IC 4-32.2-5-22, AS ADDED BY P.L.91-2006,
37 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2007]: Sec. 22. If an **owner**, employee, or officer of a
39 manufacturer or distributor is a member of a ~~bona fide civic or bona~~
40 ~~fide religious~~ **qualified** organization that holds a charity gaming
41 license, the **owner's**, employee's, or officer's membership in the
42 organization may not be construed as an affiliation with the

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organization's charity gaming operations.

SECTION 25. IC 4-32.2-8-1, AS ADDED BY P.L.91-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. (a) The commission may suspend or revoke the license of or levy a civil penalty against a qualified organization, **a manufacturer, a distributor**, or an individual under this article for any of the following:

(1) Violation of a provision of this article or of a rule of the commission.

(2) Failure to accurately account for

~~(A) bingo cards;~~

~~(B) bingo boards;~~

~~(C) bingo sheets;~~

~~(D) bingo pads;~~

~~(E) pull tabs;~~

~~(F) punchboards; or~~

~~(G) tip boards.~~

a licensed supply.

(3) Failure to accurately account for sales proceeds from an event or activity licensed or permitted under this article.

(4) Commission of a fraud, deceit, or misrepresentation.

(5) Conduct prejudicial to public confidence in the commission.

(b) If a violation is of a continuing nature, the commission may impose a civil penalty upon a licensee or an individual for each day the violation continues.

SECTION 26. IC 4-32.2-9-2, AS ADDED BY P.L.91-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. An employee of the commission may do any of the following:

(1) Investigate an alleged violation of this article.

(2) Arrest an alleged violator of this article. ~~or of a rule adopted by the commission.~~

(3) Enter upon the following premises for the performance of the employee's lawful duties:

(A) A location where a bingo event, charity game night, **festival event**, raffle, ~~or door prize drawing~~, **or other charity gambling event licensed under IC 4-32.2-4-16** is being conducted.

(B) A location where pull tabs, tip boards, or punchboards are being purchased, sold, manufactured, printed, or stored.

(4) Take necessary equipment from the premises for further investigation.

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(5) Obtain full access to all financial records of the entity upon request.

(6) If there is a reason to believe that a violation has occurred, search and inspect the premises where the violation is alleged to have occurred or is occurring. A search under this subdivision may not be conducted unless a warrant has first been obtained by the executive director. A contract entered into by the executive director may not include a provision allowing for warrantless searches. A warrant may be obtained in the county where the search will be conducted or in Marion County.

(7) Seize or take possession of:

- (A) papers;
- (B) records;
- (C) tickets;
- (D) currency; or
- (E) other items;

related to an alleged violation.

SECTION 27. IC 4-32.2-9-3, AS ADDED BY P.L.91-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 3. (a) The commission shall conduct investigations necessary to ensure the security and integrity of the operation of games of chance under this article. The commission may conduct investigations of the following:

- (1) Licensed qualified organizations.
- (2) Applicants for licenses issued under this article.
- ~~(3) Licensed manufacturers and distributors.~~
- (3) Entities that sell, manufacture, or distribute licensed supplies.**
- (4) Employees of the commission under this article.
- (5) Applicants for contracts or employment with the commission under this article.

(6) Individuals engaged in conducting allowable events.

(b) The commission may require persons subject to an investigation under subsection (a) to provide information, including fingerprints, that is:

- (1) required by the commission to carry out the investigation; or
- (2) otherwise needed to facilitate access to state and criminal history information.

SECTION 28. IC 4-32.2-9-6, AS ADDED BY P.L.91-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 6. (a) This section applies only to products sold in Indiana.

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(b) If a licensed manufacturer or distributor destroys, discontinues, or otherwise renders unusable

~~(1) bingo supplies;~~

~~(2) punchboards; or~~

~~(3) tip boards;~~

a licensed supply, the manufacturer or distributor shall provide the commission with a written list of the items destroyed, discontinued, or rendered otherwise unusable.

(c) The list required under subsection (b) must contain the following information concerning the items destroyed, discontinued, or rendered otherwise unusable:

(1) The quantity.

(2) A description.

(3) The serial numbers.

(4) The date the items were destroyed, discontinued, or rendered otherwise unusable.

(d) Notwithstanding subsection (b), this section does not apply to a product considered defective by the manufacturer or distributor.

SECTION 29. IC 4-32.2-9-8, AS ADDED BY P.L.91-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 8 A manufacturer or distributor of ~~supplies, devices, or equipment described in IC 4-32.2-3-4(a)~~ **a licensed supply** to be used in charity gaming in Indiana must file a quarterly report listing the manufacturer's or distributor's sales of the ~~supplies, devices, and equipment.~~ **licensed supply.**

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